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EMERGENCY RULE NOTICE OF INTENT RULE POTPOURRI

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This is your authority to publish in the (month) December, 20 16 *Louisiana Register* the document indicated above.

Business Incentive Services

Office/Board/Commission promulgating this document

Anne G. Villa Undersecretary

(name) (title)
 Name and title of person whose signature will appear in the publication (at the end of the document)

Economic Development

Department under which office/board/commission is classified

Danielle B. Clapinski 342-3060 342-9448

(name) (phone) (fax)
 Name, phone number, and FAX number of person to contact regarding this document

danielle.clapinski@la.gov

E-mail address of contact person

*If sending a diskette, indicate the name of the file on diskette:

Provide a short descriptive listing for this document to be used in the *Louisiana Register's* TABLE OF CONTENTS/INDEX (note: this description should match the fiscal statement title, if sending a Notice of Intent:

Meetings of the Board

Anne G. Villa

Signature of Agency Head or Designee

Anne G. Villa, Undersecretary

Print Name and Title of Agency Head or Designee

Important: If submitting both an Emergency Rule (ER) and a Notice of Intent (NOI) to be published this month, AND if the rule text in the ER is identical to the rule text in the NOI, check here:

CERTIFICATION OF AVAILABLE FUNDS

DOCUMENT # _____

ISIS AGENCY: I certify the availability of fiscal year 16-17 appropriated funds for the payment of the above referenced publication and authorize the processing of an Interagency Billing with the following coding on the 30th of the month of the publication. Attach supplemental sheet for additional lines of coding.

AGENCY	ORGANIZATION #	OBJECT	SUB-OBJECT	REPORTING CATEGORY
252	2014	5100		

NON-ISIS AGENCY: I certify the availability of fiscal year _____ appropriated funds for the payment of the above referenced publication and agree to place corresponding invoice in line for payment upon receipt.

Billing Address for Agencies:

Department of Economic Development

Agency Name

P.O. Box 94185

Street Address or Post Office Box

Baton Rouge LA 70804

City State Zip Code

Kathy Blankenship 12/5/16
 Signature of Agency Head or Designee - Phone #

Lines/Other Charges _____ Typesetting \$ _____ TOTAL \$ _____

NOTICE OF INTENT
Department of Economic Development
Office of Business Development
General Provisions (LAC 13:I:Chapter 1)

These rules are being published in the Louisiana Register as required by LA R.S. 51:921, et seq. The Department of Economic Development, Office of Business Development, as authorized by and pursuant to the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and R.S. 36:104 hereby proposes to amend and reenact Section 107 of the General Provisions of the Board of Commerce and Industry LAC 13:I:Chapter 1 to require broadcast of Board meetings via livestream where feasible as well as to require that the summary agenda and summary tables for all regular Board meetings be published at least one week prior to the Board meeting but no later than 24 hours after the Board packets were sent to Board members.

Title 13
ECONOMIC DEVELOPMENT
Part I. Financial Incentive Programs
Chapter 1. General Provisions

§107. Meetings of the Board

A. **Open Meeting.** All meetings of the board shall be subject to the Open Meetings Law as provided in R.S. 42:1 et seq.

B. **Annual Meeting.** The year of the board shall begin February 1 each year. The meeting following the beginning of the year the board shall elect its officers who shall serve until the next annual meeting or until their successors are elected.

C. **Regular Meetings.** The board may meet as often as it deems necessary provided that there shall be not less than four regular meetings each year. The summary agenda and the summary tables on all applications on the agenda for the regular meetings of the Board shall be posted to the website at least one week prior to the meeting but no later than 24 hours from when the Board packet is provided to the Board when feasible.

D. **Special Meetings.** A meeting may be called by the chairperson or by joint call of at least three of its members, to be held at the principal office of the board, or at such other place as may be fixed by the board.

E. **Quorum.** Excluding any vacancies on the board, a majority of the members of the board shall constitute a quorum. In the absence of a quorum, a majority of the members present at the time and place of any meeting may adjourn such meeting from time to time, with notice given in accordance with the Open Meeting Law.

F. **Parliamentary Procedure.** Unless otherwise provided by law to the contrary, all meetings of the board shall be conducted in accordance with *Robert's Rules of Order*.

G. **Meeting Place.** The board, its committees and sub-committees, shall hold its meetings at the principal office of the board, or at such other place as may be fixed by the board. The Board of Commerce and Industry shall have its meetings and the meetings of its subcommittees broadcast via livestream when feasible, except for those meetings or discussions which are protected from public disclosure by Louisiana confidentiality laws.

AUTHORITY NOTE: Promulgated in accordance with R.S. 51:921 et seq.

HISTORICAL NOTE: Promulgated by the Department of Economic Development, Office of Commerce and Industry, Business Division, LR 26:2242 (October 2000).

Anne G. Villa
Undersecretary, LED

Formatted: English (United States)

Provider Impact Statement

The proposed rulemaking should have no provider impact as described in HCR 170 of 2014.

Family Impact Statement

The proposed Rule changes have no impact on family formation, stability or autonomy, as described in R.S. 49:972.

Poverty Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Public Comments

Interested persons may submit written comments to Danielle Clapinski, Louisiana Department of Economic Development, P.O. Box 94185, Baton Rouge, LA 70804-9185, or physically delivered to Capitol Annex Building, Office of the Secretary, Second Floor, 1051 North Third Street, Baton Rouge, LA, 70802. Comments may also be sent by email to danielle.clapinski@la.gov. All comments must be received no later than 5 p.m., on January XX, 2017.

Public Hearing

A public hearing to receive comments on the Notice of Intent will be held on January XX, 2017 at 10:00 a.m. at the Department of Economic Development, 617 North Third Street, Baton Rouge, LA 70802.

Anne G. Villa
UnderSecretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES
RULE TITLE: Technology Commercialization Credit and Jobs Program

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

Anne G. Villa
Undersecretary, LED

Greg Albrecht
Chief Economist
Legislative Fiscal Office

NOTICE OF INTENT

Department of Economic Development Office of Business Development

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Public Hearing

A public hearing to receive comments on the Notice of Intent will be held on January 26, 2017 at 10:00 a.m. at the Department of Economic Development, 617 North Third Street, Baton Rouge, LA 70802.

Anne G. Villa
UnderSecretary

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES **RULE TITLE: Technology Commercialization Credit and Jobs Program**

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will result in a one-time expenditure estimated to total \$100,000 for the LA Department of Economic Development (DED) and ongoing annual maintenance costs thereafter. The proposed rule changes require all meetings of the Board of Commerce and Industry (Board of C&I) to be broadcast on the internet when feasible, except meetings which are protected from public disclosure by LA confidentiality laws. Presently the Board of C&I holds a majority of its meeting in the LaBelle Room of the LaSalle Building, which does not currently have the capability to broadcast meetings of the Board of C&I. The estimated cost to outfit the LaBelle Room for live internet broadcasts is approximately \$100,000. This estimate is based upon the actual cost to equip the LA Purchase Room at the Claiborne Building with the same capabilities. This expense is a one-time expense but the DED will likely incur annual maintenance costs for the upkeep of the system in subsequent fiscal years.

The proposed rule changes require the summary agenda and summary tables of applications for regular meetings to be posted on the DED website at least one week prior to the Board of C&I meeting but not less than 24 hours after the meeting packets have been sent out to members. There are no costs associated with posting the summary agenda and summary tables of applications for the regular meetings of the Board of C&I to the DED's website.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will not affect revenue collections for state or local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NON-GOVERNMENTAL GROUPS (Summary)

The proposed rule changes will not result in any costs or economic benefits for any non-

governmental groups or persons.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule changes will not affect competition or employment.

Anne G. Villa
Undersecretary, LED

Evan Brasseaux
Legislative Fiscal Office

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

Person Preparing Statement: Danielle B. Clapinski Dept.: Economic Development
 Phone: (225) 342-3060 Office: Business Incentive Services
 Return Address: P.O. Box 94815 Rule Title: Meetings of the Board
Baton Rouge, LA 70804 Date Rule Takes Effect: Upon promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment.

THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will result in a one-time expenditure estimated to total \$100,000 for the LA Department of Economic Development (DED) and ongoing annual maintenance costs thereafter. The proposed rule changes require all meetings of the Board of Commerce and Industry (Board of C&I) to be broadcast on the internet when feasible, except meetings which are protected from public disclosure by LA confidentiality laws. Presently the Board of C&I holds a majority of its meetings in the LaBelle Room of the LaSalle Building, which does not currently have the capability to broadcast meetings of the Board of C&I. The estimated cost to outfit the LaBelle Room for live internet broadcasts is approximately \$100,000. This estimate is based upon the actual cost to equip the LA Purchase Room at the Claiborne Building with the same capabilities. This expense is a one-time expense but the DED will likely incur annual maintenance costs for the upkeep of the system in subsequent fiscal years.

The proposed rule changes require the summary agenda and summary tables of applications for regular meetings to be posted on the DED website at least one week prior to the Board of C&I meeting but not less than 24 hours after the meeting packets have been sent out to members. There are no costs associated with posting the summary agenda and summary tables of applications for the regular meetings of the Board of C&I to the DED's website.

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The proposed rule changes will not affect competition or employment.

Anne Villa
Signature of Agency Head or Designee

Anne G. Villa, Undersecretary
Typed Name & Title of Agency Head or Designee

December 5, 2016
Date of Signature

LFO 7/2007

Evan Brasseaux, Staff Director
Legislative Fiscal Officer or Designee

Evan Brasseaux, Staff Director
Typed Name & Title of LFO Head or Designee

12/7/16
Date of Signature

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DEC 06 2016

OFFICE OF THE
STATE REGISTER

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule requires that all meetings of the Board of Commerce and Industry and its subcommittees be broadcast via livestream where feasible.

The proposed rule also requires that the summary agenda and summary tables for all applications on the agenda for the regular meetings of the Board to the Department's website at least one week prior to the Board meeting but not less than 24 hours after the Board packets have been sent out to members.

- B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

Changes to the rules were approved by the Rules Committee of the Board of Commerce and Industry as well as the full Board in order to assure transparency for meetings and actions of the Board of Commerce and Industry.

- C. Compliance with Act 11 of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

The proposed rule changes will result in a one-time expenditure of \$100,000 to outfit the LaBelle Room of the LaSalle Building with the equipment needed to broadcast live streams of the Board of C&I's meetings. Furthermore, the DED anticipates paying annual maintenance costs to perform upkeep of the system.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ Yes. If yes, attach documentation.

(b) X NO. If no, provide justification as to why this rule change should be published at this time

DED staff report that self-generated revenue collections in FY 17 are sufficient to fund the installation of equipment for broadcasting the Board of C&I's meetings on the internet. However, the DED's current appropriation does not include sufficient budget authority for the department to draw down the revenues necessary to fund the equipment installation. The DED will require additional SGR appropriation authority either via BA-7 or supplemental appropriation to be able to carry out the equipment installation.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 17	FY 18	FY 19
Personal Services	0	0	0
Operating Expenses	0	0	0
Professional Services	0	0	0
Other Charges	0	0	0
Equipment	\$100,000	INCREASE	INCREASE
Major Repairs & Constr.	0	0	0
TOTAL	\$100,000		

POSITIONS (#)

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The proposed rule changes will result in a one-time expenditure estimated to total \$100,000 for the LA Department of Economic Development (DED) and ongoing annual maintenance costs thereafter. The proposed rule changes require all meetings of the Board of Commerce and Industry (Board of C&I) to be broadcast on the internet when feasible, except meetings which are protected from public disclosure by LA confidentiality laws. Presently the Board of C&I holds a majority of its meeting in the LaBelle Room of the LaSalle Building, which does not currently have the capability to broadcast meetings of the Board of C&I. The estimated cost to outfit the LaBelle Room for live internet broadcasts is approximately \$100,000. This estimate is based upon the actual cost to equip the LA Purchase Room at the Claiborne Building with the same capabilities. This expense is a one-time expense but the DED will likely incur annual maintenance costs for the upkeep of the system in subsequent fiscal years.

The proposed rule changes require the summary agenda and summary tables of applications for regular meetings to be posted on the DED website at least one week prior to the Board of C&I meeting but not less than 24 hours after the meeting packets have been sent out to members. There are no costs associated with posting the summary agenda and summary tables of applications for the regular meetings of the Board of C&I to the DED's website.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 17	FY 18	FY 19
State General Fund	\$0	\$0	\$0
Agency Self-Generated	\$100,000	INCREASE	INCREASE
Dedicated	0	0	0
Federal Funds	0	0	0
Other (Specify)	0	0	0
TOTAL	\$100,000	\$0	\$0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

The agency will use self-generated revenues from fees associated with the Board of Commerce and Industry programs to implement the proposed action..

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There will be no costs or savings to local government.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these

costs or savings.

No sources of funding of local government will be affected.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 15-16	FY 17	FY 18
State General Fund	0	0	0
Agency Self-Generated	0	0	0
Dedicated Funds*	0	0	0
Federal Funds	0	0	0
Local Funds	0	0	0
TOTAL	\$0	\$0	\$0

*Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

The proposed rule changes will not affect revenue collections for state or local governmental units.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

- A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed rule changes will not result in any costs or economic benefits for any non-governmental groups or persons.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

The proposed rule changes will not result in any costs or economic benefits for any non-governmental groups or persons.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule changes will not affect competition or employment.